

PATENT COOPERATION TREATY

WO 99/02200
PCT/AU98/00519

From the INTERNATIONAL BUREAU

PCT

NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

T :

SLATTERY, John
Davies Collison Cave
1 Little Collins Street
Melbourne, VIC 3000
AUSTRALIE

WEDNESDAY - 3 FEB 1999

Date of mailing (day/month/year) 21 January 1999 (21.01.99)		
Applicant's or agent's file reference 2054320jms		IMPORTANT NOTICE
International application No. PCT/AU98/00519	International filing date (day/month/year) 06 July 1998 (06.07.98)	Priority date (day/month/year) 07 July 1997 (07.07.97)
Applicant AUSTRALIAN INSTITUTE OF MARINE SCIENCE et al		

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:
AU, BR, CA, CN, EP, IL, JP, KP, KR, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:
AL, AM, AP, AT, AZ, BA, BB, BG, BY, CH, CU, CZ, DE, DK, EA, EE, ES, FI, GB, GE, GH, GM, GW, HU, ID, IS, KE, KG, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, OA, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, UZ, VN, YU, ZW
The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).
3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on
21 January 1999 (21.01.99) under No. WO 99/02200

REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

<p style="text-align: center;">The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile N . (41-22) 740.14.35</p>	<p>Authorized officer J. Zahra</p> <p>Tel ph ne N . (41-22) 338.83.38</p>
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INTERNATIONAL COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark
Office
(Box PCT)
Crystal Plaza 2
Washington, DC 20231
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 09 February 1999 (09.02.99)	
International application No. PCT/AU98/00519	Applicant's or agent's file reference 2064320jms
International filing date (day/month/year) 06 July 1998 (06.07.98)	Priority date (day/month/year) 07 July 1997 (07.07.97)
Applicant VAGO, Razo	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
21 January 1999 (21.01.99)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No.: (41-22) 740.14.35</p>	<p>Authorized officer Maria Victoria CORTIELLO</p> <p>Telephone No.: (41-22) 338.83.38</p>
--	--

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

WEDNESDAY, - 7 APR 1999

SLATTERY, John
Davies Collison Cave
1 Little Collins Street
Melbourne, VIC 3000
AUSTRALIE

JMS

Date of mailing (day/month/year) 25 March 1999 (25.03.99)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 2064320jms	
International application No. PCT/AU98/00519	International filing date (day/month/year) 06 July 1998 (06.07.98)

1. The following indications appeared on record concerning:		
<input checked="" type="checkbox"/> the applicant	<input checked="" type="checkbox"/> the inventor	<input type="checkbox"/> the agent <input type="checkbox"/> the common representative
Name and Address VAGO, Razo Wolfson Street 33 75203 Rishon Leziyyon Israel	State of Nationality IL	State of Residence IL
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:		
<input type="checkbox"/> the person	<input checked="" type="checkbox"/> the name	<input type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence
Name and Address VAGO, Razi Wolfson Street 33 75203 Rishon Leziyyon Israel	State of Nationality IL	State of Residence IL
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	
3. Further observations, if necessary:		
4. A copy of this notification has been sent to:		
<input checked="" type="checkbox"/> the receiving Office	<input type="checkbox"/> the designated Offices concerned	
<input type="checkbox"/> the International Searching Authority	<input checked="" type="checkbox"/> the elected Offices concerned	
<input checked="" type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:	

The International Bureau of WIPO 34, chemin des Colombettes 1211 Genève 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Eugénia Santos Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

THURSDAY 29 JAN 1999

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION OF RECEIPT OF DEMAND BY COMPETENT INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

(PCT Rule 59.3(e) and 61.1(b), first sentence
and Administrative Instructions, Section 601(a))

To: Agent :

DAVIES COLLISON CAVE
1 Little Collins Street
MELBOURNE VIC 3000

Date of mailing 27 JAN 1999
(day/month/year) (27/1/99)

Applicant's or agent's file reference
2064320jms

IMPORTANT NOTIFICATION

International application No.
PCT/AU98/00519

International filing date (day/month/year)
6 JUL 1998 (6/7/98)

Priority date (day/month/year)
7 JUL 1997 (7/7/97)

Applicant

Australian Institute of Marine Science (et al.)

1. The applicant is hereby **notified** that this International Preliminary Examining Authority considers the following date as the date of receipt of the demand for international preliminary examination of the international application:

21 JAN 1999 (21/1/99)

2. That date of receipt is:



the actual date of receipt of the demand by this Authority (Rule 61.1(b)).



the actual date of receipt of the demand on behalf of this Authority (Rule 59.3(e)).



the date on which this Authority has, in response to the Invitation to correct defects in the demand (Form PCT/IPEA/404), received the required corrections.

3. ☐ **Attention:** That date of receipt is **AFTER** the expiration of 19 months from the priority date. Consequently, the elections(s) made in the demand does (do) not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)). Therefore, the acts for entry into the national phase must be performed within 20 months from the priority date (or later in some Offices) (Article 22). For details, see the *PCT Applicant's Guide, Volume II*.



(If applicable) This notification confirms the information given by telephone, facsimile transmission or in person on:

4. Only where paragraph 3 applies, a copy of this notification has been sent to the International Bureau.

Name and mailing address of the IPEA/AU
AUSTRALIAN PATENT OFFICE
PO BOX 200, WODEN ACT 2606,
AUSTRALIA
Facsimile No. 02 6285 3929

Authorized officer

(Mrs) Cecilia TRACEY
(02) 6283 2511

Telephone No.

F. ENT COOPERATION TREA . .

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

SLATTERY, John
Davies Collison Cave
1 Little Collins Street
Melbourne, VIC 3000
AUSTRALIEDate of mailing (day/month/year)
25 March 1999 (25.03.99)Applicant's or agent's file reference
2064320jms

IMPORTANT NOTIFICATION

International application No.
PCT/AU98/00519International filing date (day/month/year)
06 July 1998 (06.07.98)

1. The following indications appeared on record concerning:

☒ the applicant ☒ the inventor ☐ the agent ☐ the common representative

Name and Address

VAGO, Razo
Wolfson Street 33
75203 Rishon Leziyyon
Israel

State of Nationality

IL

State of Residence

IL

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person ☒ the name ☐ the address ☐ the nationality ☐ the residence

Name and Address

VAGO, Razi
Wolfson Street 33
75203 Rishon Leziyyon
Israel

State of Nationality

IL

State of Residence

IL

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒ the receiving Office ☐ the designated Offices concerned
☐ the International Searching Authority ☒ the elected Offices concerned
☒ the International Preliminary Examining Authority ☐ other:The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Eugénia Santos

Facsimile No.: (41-22) 740.14.35

Telephone No.: (41-22) 338.83.38

INTERNATIONAL COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2064320jms	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International application No. PCT/AU 98/00519	International filing date (day/month/year) 6 July 1998	Priority Date (day/month/year) 7 July 1997
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁶ A61L 27/00, 31/00		
Applicant (1) AUSTRALIAN INSTITUTE OF MARINE SCIENCE (2) VAGO, Razi		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheet(s).

3. This report contains indications relating to the following items:

- | | | |
|------|-------------------------------------|---|
| I | <input checked="" type="checkbox"/> | Basis of the report |
| II | <input type="checkbox"/> | Priority |
| III | <input type="checkbox"/> | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| IV | <input type="checkbox"/> | Lack of unity of invention |
| V | <input checked="" type="checkbox"/> | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| VI | <input type="checkbox"/> | Certain documents cited |
| VII | <input type="checkbox"/> | Certain defects in the international application |
| VIII | <input type="checkbox"/> | Certain observations on the international application |

Date of submission of the demand 21 January 1999	Date of completion of the report 11 June 1999
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200 WODEN ACT 2606 AUSTRALIA Facsimile No. (02) 6285 3929	Authorized Officer JAMIE TURNER Telephone No. (02) 6283

I. Basis of the report**1. With regard to the elements of the international application:***

- ☒ the international application as originally filed.
- ☐ the description, pages , as originally filed,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the claims, pages , as originally filed,
 pages , as amended (together with any statement) under Article 19,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the drawings, pages , as originally filed,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the sequence listing part of the description:
 pages , as originally filed
 pages , filed with the demand
 pages , filed with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, was on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 3-4, 12	YES
	Claims 1-2, 5-11	NO
Inventive step (IS)	Claims 3-4	YES
	Claims 1-2, 5-12	NO
Industrial applicability (IA)	Claims 1-12	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

NOVELTY (N) claims 1-2, 5-11

D1 - WO 97/46178
D2 - WO 97/31661
D3 - WO 89/06944
D4 - WO 87/07826
D5 - JP 01-117833
D6 - DE 4130546
D7 - US 5563124
D8 - US 5480827
D9 - US 4976731
D10 - EP 532421
D11 - EP 395187
D12 - FR 2637502

Each of the above documents, which were first raised in the International Search, disclose all of the features of claim 1 of the instant application. Documents D1 and D9 additionally disclose all of the features of claims 5, 7 and 11. Documents D2 and D6 disclose all of the features of claims 5, 7, 8 and 10. Document D3 discloses all of the features of claims 5 and 7. Document D4 discloses all of the features of claims 5, 6 and 7. Documents D5 and D12 disclose all of the features of claim 5. Document D7 discloses all of the features of claims 5-8 and 10. Document D10 discloses all of the features of claims 2, 5 and 7. Document D11 discloses all of the features of claims 2 and 5-11.

INVENTIVE STEP (IS) claims 1-2, 5-12

Claims 1-2, 5-11: as above

Claims 12:

The features added by this claim amount to no more than common general knowledge in the art and therefore cannot be considered to involve an inventive step.

PCT REQUEST

2064320jms

Original (for SUBMISSION) - printed on Monday, 06 July, 1998 02:38:09 PM

0	For Receiving Office use only	
0-1	International Application No.	
0-2	International Filing Date	
0-3	Name of Receiving Office and "PCT International Application"	
0-4	Form - PCT/RO/101 PCT Request	
0-4-1	Prepared using	PCT-EASY Version 2.01 (updated 01.04.1998)
0-5	Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
0-6	Receiving Office (specified by the applicant)	Australian Patent Office (RO/AU)
0-7	International Searching Authority (specified by the applicant)	Australian Patent Office (ISA/AU)
0-8	Language of description and claims	English
0-9	Applicant's or agent's file reference	2064320jms
I	Title of invention	SHAPED PRODUCTS OR STRUCTURES FOR MEDICAL OR RELATED PURPOSES
II	Applicant	
II-1	This person is:	applicant only
II-2	Applicant for	all designated States except US
II-4	Name	AUSTRALIAN INSTITUTE OF MARINE SCIENCE
II-5	Address:	--- Cape Ferguson, Queensland 4810 Australia
II-6	State of nationality	AU
II-7	State of residence	AU
II-8	Telephone No.	---
II-9	Facsimile No.	---
II-10	e-mail	---

PCT REQUEST

Original (for SUBMISSION) - printed on Monday, 06 July, 1998 02:38:09 PM

III-1	Applicant and/or Inventor	
III-1-1	This person is:	applicant and inventor
III-1-2	Applicant for	US only
III-1-4	Name (LAST, First)	VAGO, Razo
III-1-5	Address:	33 Wolfson Street 75203 Rishon Leziyyon Israel
III-1-6	State of nationality	IL
III-1-7	State of residence	IL
IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	agent
IV-1-1	Name (LAST, First)	SLATTERY, John
IV-1-2	Address:	Davies Collison Cave 1 Little Collins Street Melbourne, Victoria 3000 Australia
IV-1-3	Telephone No.	613 9254 2777
IV-1-4	Facsimile No.	613 9254 2770
IV-1-5	e-mail	mail@davies.com.au
IV-2	Additional agent(s)	additional agent(s) with same address as first named agent
IV-2-1	Name(s)	HUGHES, E. John L.
V	Designation of States	
V-1	Regional Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	AP: GH GM KE LS MW SD SZ UG ZW and any other State which is a Contracting State of the Harare Protocol and of the PCT EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT EP: AT BE CH&LI CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE and any other State which is a Contracting State of the European Patent Convention and of the PCT OA: BF BJ CF CG CI CM GA GN ML MR NE SN TD TG and any other State which is a member State of OAPI and a Contracting State of the PCT

PCT REQUEST

2064320jms

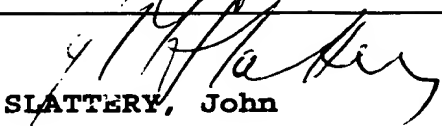
Original (for SUBMISSION) - printed on Monday, 06 July, 1998 02:38:09 PM

V-2	National Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	AL AM AT AU AZ BA BB BG BR BY CA CH & LI CN CU CZ DE DK EE ES FI GB GE GH GM GW HU ID IL IS JP KE KG KP KR KZ LC LK LR LS LT LU LV MD MG MK MN MW MX NO NZ PL PT RO RU SD SE SG SI SK SL TJ TM TR TT UA UG US UZ VN YU ZW	
V-5	Precautionary designations In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit.		
V-6	Exclusion(s) from precautionary designations	NONE	
VI-1	Priority claim	AU	
VI-1-1	Country (in which, or for which, the application was filed)	AU	
VI-1-2	Filing date	07 July 1997 (07.07.1997)	
VI-1-3	Application No.	PO 7705	
VI-2	Priority claim	AU	
VI-2-1	Country (in which, or for which, the application was filed)	AU	
VI-2-2	Filing date	07 July 1997 (07.07.1997)	
VI-2-3	Application No.	PO 7706	
VI-3	Priority document request The Receiving Office is hereby requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s):	VI-1, VI-2	
VIII	Check list	number of sheets	electronic file(s) attached
VIII-1	Request	4	-
VIII-2	Description	15	-
VIII-3	Claims	2	-
VIII-4	Abstract	1	po7705.txt
VIII-5	Drawings	4	-
VIII-6	TOTAL	26	
	Accompanying items	paper document(s) attached	electronic file(s) attached
VIII-11	Fee calculation sheet	✓	-
VIII-15	Figure No. of the drawings, if any, that should accompany the abstract when it is published	Figure No. --	

PCT REQUEST

2064320jms

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IX-1	Signature of applicant	
IX-1-1	Name (LAST, First)	SLATTERY, John

FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority specified by the applicant:	ISA/AU
10-6	Transmittal of search copy delayed until search fee is paid	

FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
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PCT REQUEST

2064320jms

Original (for SUBMISSION) - printed on Monday, 06 July, 1998 02:38:09 PM

0	For Receiving Office use only	
0-1	International Application No.	
0-2	International Filing Date	
0-3	Name of Receiving Office and "PCT International Application"	
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0-4-1	Prepared using	PCT-EASY Version 2.01 (updated 01.04.1998)
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0-6	Receiving Office (specified by the applicant)	Australian Patent Office (RO/AU)
0-7	International Searching Authority (specified by the applicant)	Australian Patent Office (ISA/AU)
0-8	Language of description and claims	English
0-9	Applicant's or agent's file reference	2064320jms
I	Title of Invention	SHAPED PRODUCTS OR STRUCTURES FOR MEDICAL OR RELATED PURPOSES
II	Applicant	
II-1	This person is:	applicant only
II-2	Applicant for	all designated States except US
II-4	Name	AUSTRALIAN INSTITUTE OF MARINE SCIENCE
II-5	Address:	--- Cape Ferguson, Queensland 4810 Australia
II-6	State of nationality	AU
II-7	State of residence	AU
II-8	Telephone No.	---
II-9	Facsimile No.	---
II-10	e-mail	---

PCT REQUEST

2064320jms

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III-1	Applicant and/or inventor	
III-1-1	This person is:	applicant and inventor
III-1-2	Applicant for	US only
III-1-4	Name (LAST, First)	VAGO, Razo
III-1-5	Address:	33 Wolfson Street 75203 Rishon Leziyyon Israel
III-1-6	State of nationality	IL
III-1-7	State of residence	IL
IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	agent
IV-1-1	Name (LAST, First)	SLATTERY, John
IV-1-2	Address:	Davies Collison Cave 1 Little Collins Street Melbourne, Victoria 3000 Australia
IV-1-3	Telephone No.	613 9254 2777
IV-1-4	Facsimile No.	613 9254 2770
IV-1-5	e-mail	mail@davies.com.au
IV-2	Additional agent(s)	additional agent(s) with same address as first named agent
IV-2-1	Name(s)	HUGHES, E. John L.
V	Designation of States	
V-1	Regional Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	AP: GH GM KE LS MW SD SZ UG ZW and any other State which is a Contracting State of the Harare Protocol and of the PCT EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT EP: AT BE CH&LI CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE and any other State which is a Contracting State of the European Patent Convention and of the PCT OA: BF BJ CF CG CI CM GA GN ML MR NE SN TD TG and any other State which is a member State of OAPI and a Contracting State of the PCT

PCT REQUEST

2064320jms

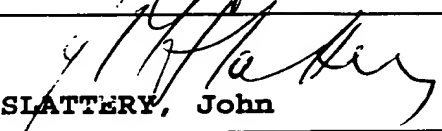
Original (for SUBMISSION) - printed on Monday, 06 July, 1998 02:38:09 PM

V-2	National Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	AL AM AT AU AZ BA BB BG BR BY CA CH EL I CN CU CZ DE DK EE ES FI GB GE GH GM GW HU ID IL IS JP KE KG KP KR KZ LC LK LR LS LT LU LV MD MG MK MN MW MX NO NZ PL PT RO RU SD SE SG SI SK SL TJ TM TR TT UA UG US UZ VN YU ZW	
V-5	Precautionary designations In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit.		
V-6	Exclusion(s) from precautionary designations	NONE	
VI-1	Priority claim		
VI-1-1	Country (in which, or for which, the application was filed)	AU	
VI-1-2	Filing date	07 July 1997 (07.07.1997)	
VI-1-3	Application No.	PO 7705	
VI-2	Priority claim		
VI-2-1	Country (in which, or for which, the application was filed)	AU	
VI-2-2	Filing date	07 July 1997 (07.07.1997)	
VI-2-3	Application No.	PO 7706	
VI-3	Priority document request The Receiving Office is hereby requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s):	VI-1, VI-2	
VIII	Check list	number of sheets	electronic file(s) attached
VIII-1	Request	4	-
VIII-2	Description	15	-
VIII-3	Claims	2	-
VIII-4	Abstract	1	po7705.txt
VIII-5	Drawings	4	-
VIII-6	TOTAL	26	
	Accompanying items	paper document(s) attached	Electronic file(s) attached
VIII-11	Fee calculation sheet	✓	-
VIII-15	Figure No. of the drawings, if any, that should accompany the abstract when it is published	Figur No. --	

PCT REQUEST

2064320jms

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IX-1	Signature of applicant or agent	
IX-1-1	Name (LAST, First)	SLATTERY, John

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10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority specified by the applicant:	ISA/AU
10-6	Transmittal of search copy delayed until search fee is paid	

FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
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22 JUN 1999

WIPO PCT

Applicant's or agent's file reference 2064320jms	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).	
International application No. PCT/AU 98/00519	International filing date (day/month/year) 6 July 1998	Priority Date (day/month/year) 7 July 1997
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁶ A61L 27/00, 31/00		
Applicant (1) AUSTRALIAN INSTITUTE OF MARINE SCIENCE (2) VAGO, Razi		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 3 sheets, including this cover sheet.
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheet(s).

3. This report contains indications relating to the following items:

- | | | |
|------|-------------------------------------|---|
| I | <input checked="" type="checkbox"/> | Basis of the report |
| II | <input type="checkbox"/> | Priority |
| III | <input type="checkbox"/> | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| IV | <input type="checkbox"/> | Lack of unity of invention |
| V | <input checked="" type="checkbox"/> | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| VI | <input type="checkbox"/> | Certain documents cited |
| VII | <input type="checkbox"/> | Certain defects in the international application |
| VIII | <input type="checkbox"/> | Certain observations on the international application |

Date of submission of the demand 21 January 1999	Date of completion of the report 11 June 1999
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200 WODEN ACT 2606 AUSTRALIA Facsimile No. (02) 6285 3929	Authorized Officer JAMIE TURNER Telephone No. (02) 6283

I. Basis of the report**1. With regard to the elements of the international application:***

- ☒ the international application as originally filed.
- ☐ the description, pages , as originally filed,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the claims, pages , as originally filed,
 pages , as amended (together with any statement) under Article 19,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the drawings, pages , as originally filed,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the sequence listing part of the description:
 pages , as originally filed
 pages , filed with the demand
 pages , filed with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, was on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 3-4, 12	YES
	Claims 1-2, 5-11	NO
Inventive step (IS)	Claims 3-4	YES
	Claims 1-2, 5-12	NO
Industrial applicability (IA)	Claims 1-12	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)**NOVELTY (N) claims 1-2, 5-11**

D1 - WO 97/46178
 D2 - WO 97/31661
 D3 - WO 89/06944
 D4 - WO 87/07826
 D5 - JP 01-117833
 D6 - DE 4130546
 D7 - US 5563124
 D8 - US 5480827
 D9 - US 4976731
 D10 - EP 532421
 D11 - EP 395187
 D12 - FR 2637502

Each of the above documents, which were first raised in the International Search, disclose all of the features of claim 1 of the instant application. Documents D1 and D9 additionally disclose all of the features of claims 5, 7 and 11. Documents D2 and D6 disclose all of the features of claims 5, 7, 8 and 10. Document D3 discloses all of the features of claims 5 and 7. Document D4 discloses all of the features of claims 5, 6 and 7. Documents D5 and D12 disclose all of the features of claim 5. Document D7 discloses all of the features of claims 5-8 and 10. Document D10 discloses all of the features of claims 2, 5 and 7. Document D11 discloses all of the features of claims 2 and 5-11.

INVENTIVE STEP (IS) claims 1-2, 5-12

Claims 1-2, 5-11: as above

Claims 12:

The features added by this claim amount to no more than common general knowledge in the art and therefore cannot be considered to involve an inventive step.